

## Memorandum



Subject	Date
USA v. Ernesto Esparza et. al.	May 17, 2005

To  
Arthur Ross, Esq.  
FAX: 521-4722

From  
Michael Kawahara  
Assistant U.S. Attorney

As requested today, please find attached a copy of the Spanish handwritten letter which was received from Alvin Nishimura, your predecessor defense counsel. I also include an English translation thereof, which was accomplished by one of the HIDTA interpreters.

Please note that it has been impossible to determine who authored this letter. When interviewed about this letter by Postal Inspector Cynthia Blank on May 15, 2003, Esparza claimed the handwriting was that of co-defendant Jose Manuel Amarillas Ojeda. However, there is no independent proof establishing this. In addition, Esparza also advised that the letter was originally contained in an envelope which said "To Ernesto, From Jose", but that he (Esparza) threw the envelope away.

If you have any questions, please call me at 440-9220.

17 DE ABRIL DEL 2003

6:20 PM

Bueno Ernesto Con gusto le escribo estas letras para saludarlo y Desirle lo siguiente. mire NETO Aguy supe que usted andaba diciendo que yo era RATA; Pero yo no se porque dise eso; Mire Compa yo no lo creo; Pero si es cierto Pues quiero que usted me lo diga Amy Solo; y enque manera tiene la Razón de decir eso; Mire Compa yo Nunca he dicho nada que alguna Cosa sea suya; Simplemente lo que he dicho que yo no se nada & Esto y firmes. Pues yo no se que a pensado usted; quiero que me conteste para el sabado igual; que como mando decir que para ablara a las 6:00:P.M. yo le estove ablando asta las 6:15 y nunca contesto; mire neto Pues usted sabe que todo esta a su nombre y yo lo miro que si usted dijera que yo no tengo nada que ver en este Asunto; Pues yo saliera & yo mismo le metiera un Buen licenciado & Asi Salieramos más Pronto los Dos; y Tambien yo Ayudara sus Niños y le estuviera mandando para que Comiera mientras que Saliera usted yo se que si usted dice que yo no tengo nada que ver Pues Saliera al mejor de Bolada. Porque usted sabe que me agarraron manejando nada más y si Uste quisiera yo Saliera. Porque todo esta a su nombre usted lo SABE. Pero Aunque yo sepa que esta a su nombre Nunca He Dicho que son de usted. lo que yo he dicho que yo no se nada que yo Trabajaba en el Papaya. nada mas.

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17 DE ABRIL DEL 2003

6:20 PM

Bueno Ernesto Con gusto le escribo estas letras para saludarlo y Desirle lo siguiente. mire NETO Aguy supe que usted andaba diciendo que yo era RATA; Pero yo no se porque dice eso; Mire Compa yo no lo creo; Pero si es cierto Pues quiero que usted me lo diga Amy Solo; y enque manera tiene la Razón de decir eso; Mire Compa Yo Nunca he dicho nada que alguna Cosa sea suya; Simplemente lo que he dicho que yo no se nada, y Estoy firmes. Pues yo no se que a pensado usted; quiero que me conteste Para el Sabado Igual; que como mando decir que hacia ablaro a las 6:00:P.M. yo le estove ablando Asta las 6:15 y nunca Contesto. mire neto Pues Usted sabe que todo esta a su nombre y yo lo miro que si usted dijera que yo no tengo nada que ver en este Asunto. Pues yo Saliera y yo mismo le metiera un Buen licenciado y Asi Salieramos más Pronto los Dos; y Tambien yo Ayudara sus Niños y le estuviera mandando Para que Comiera mientras que Saliera Usted Yo se que si usted dice que yo no tengo nada que ver Pues Saliera al mejor de Bolada. Porque usted sabe que me agarraron manejando nada más y si Uste quisiera yo Saliera. Porque todo esta a su nombre Usted lo SABE. Pero Aunque yo sepa que esta a su nombre Nunca He Dicho que son de Usted. lo que yo he dicho que yo no se nada que yo Trabajaba en el Papa ya. nada mas.

DE NAA. Sirve estar los encerrados  
 Pero yo no se que pensar yo pienso eso  
 que le dije que saliendo uno saliera mas pegado  
 Pienselo y estudie lo que le digo Andres.

Pero Como Usted quiera; Pero yo pienso  
 que le saliera mejor librandome yo porque asi  
 yo lo ayudaria hasta que saliera. Usted.

Pero hacrita yo no se que piense usted  
 Pero yo estoy firmes con usted y yo pienso  
 que es mi amigo pero no se que piense usted

Pero si piensa que soy esa persona que  
 supe Aguy que usted lo abia dicho.

Pues eso si le digo que no able demas; Porque  
 si le quiere Asi Pues AY TAMAS.

Disculpe que le digo esto pero me dio much  
 Coraje cuando supe eso que usted lo abia dicho  
 Pues si no lo digo Disculpe NETO.

BUENO NETO. Yo le Prometo que si usted  
 me Ayudará A salir yo tambien lo Ayudaria.  
 A usted y a quien usted tenga ~~Ab~~ Afuera.  
 y quiera que les de la mano usted lo sabe que  
 soy amigo de los Amigo. Pero si no quiere  
 Pues tampoco me voy Asustar de estar  
 Aguy. Pues Usted decide Pienselo y  
 mandemolo decir que A Pensado. Si estamos  
 los Dos Pues ni nos tienen Juntas Pero  
 Como quiera quiera; Pero quiero saber que  
 Piensa Usted.

BUENO NETO Disculpeme si no  
 es cierto de lo que supe Aguy.  
 Pues me marca @ Escribame para saber  
 yo estoy en el CuARTO # 109. Voy a  
 Esperar la llamada mañana Viernes A las  
 6:00 P.M. En el CuARTO # 109. Se Despide  
 su Amigo

17 of April, 2003 6:20 PM

Hello Ernesto, with happiness I am writing these letters to greet you and to tell you the following. Look Neto (note: Neto is short for Ernesto) I found out here that you were going around saying that I was a rat. But I don't know why you are saying that; look friend, I don't believe it but, if it is true, then I want you to tell me personally and the reason for saying that. Look friend, I never have said anything about anything being yours, in fact what I have said is that I know nothing and have been firmed to that. I don't know what you have been thinking, I want you to answer me (word is cut off) by Saturday; how can I let you know that today I called at 6:00 PM and I was calling you up until 6:15 and you never answered. Look Neto, you know that everything is under your name and I know that if you wish to I will have nothing to do with this matter. In fact I would go out and get you a good attorney and that way both of us would get out sooner; and I would also help out your sons and I would be sending them so they could eat until you would get out. I know that if you said that I had nothing to do with it I would get out real quick. Because you know that they caught me driving, nothing else and if you wanted to I would be getting out. Because everything is under your name, you know it. But even though I know it's under your name, I have never said that they are yours. What I have said is that I know nothing; that I work with the Papayas, nothing else.

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(Written)

(Top page is somewhat cut, but it seems to say)

It serves us no good for both of us to be incarcerated, but I don't know what to think, I think about what I told you, that if one gets out the other one will get out sooner (hard to understand writing) Think about it, study what I told you (unreadable).

But whatever you want, but I think that it would be best to free me because that way I can help you until you get out. But right now I don't know, what do you think. But I am staying strong with you and I think you are my friend but I don't know, what do you think. But if you think that I am that person who was saying those things, but I will tell you I did not talk a lot, because (word is cut off) wants (unreadable) well there we are. Forgive me for telling you this but I got very angry when I found out you had said that, but if you did not, then forgive me Neto.

All right Neto, I promise you that if you help me get out, I too will help you and anyone you have on the outside. If you want a helping hand, I want you to know that I am a friend's friend. And if not, I want you to know that I am not scared of being here. Well you decide, think about it and let me know what you think. If we're (word is cut off), they don't have us together, but whatever you want, I want it, but I want to know what you think.

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03/2004 14:31

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All right Neto, forgive me if it's not true what I found out. Call me or write to let me know. I am in room 109. —  
I will be waiting for your call tomorrow Friday at 6:00 PM. In room #109.

Good bye

Your friend.

CC: FILES/RA, KK

EXHIBIT 1

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